

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

BRIAN BEMKE, SCOTT COLLETT,
JOHN FERIOZZI, JUDY FINTZ, SARAH
JAMIESON, EVAN JOHNSON, TRACY
LONG, and CLIFFORD NEUMAN,

Plaintiffs,

v.

Case No. 21-cv-560

AMY PECHACEK, in her official capacity
as Secretary-designee of the State of Wisconsin
Department of Workforce Development,

Defendant.

DECLARATION OF PAUL A. KINNE

By signing below, I, Paul A. Kinne swear and affirm that my statement is true and correct to the best of my knowledge.

1. My name is Paul A. Kinne. I am an attorney representing the plaintiffs in the above-captioned action.
2. Attached as Exhibit A is a true and correct copy of Judy Fintz's UI Complaint.
3. Attached as Exhibit B is a true and correct copy of James Trandel's UI Complaint.
4. Attached as Exhibit C is a true and correct copy of Gerald Jenkins's Unemployment Insurance Decision.
5. Attached as Exhibit D is a true and correct copy of Clifford Neuman's Appeal
6. Attached as Exhibit E is a true and correct copy of Treena Rose's Appeal

7. Attached as Exhibit F is a true and correct copy of Tracy Long's ALJ Determination.
8. Attached as Exhibit G is a true and correct copy of Tracy Long's Appellate Determination.
9. Attached as Exhibit H is a true and correct copy of Brian Bemke's Determination.
10. During discovery, the defendant's counsel indicated that information about actual initial claims being denied in a given year because of the SSDI eligibility ban could not be obtained without extraordinary effort.
11. Plaintiff's counsel informed defendant's counsel that the Department tracks such denials with specific adjudication codes that are reported to the U.S. Dep't of Labor through series ETA 207 reporting non-separation determinations by cause/reason (https://oui.doleta.gov/unemploy/nonmon_determinations.asp; for Wisconsin, non-separation denials based on the SSDI eligibility ban are grouped in the "other" category):

DI200	SSDI eligibility ban applies (claimant reported SSDI status)
DI201	SSDI eligibility ban applies (claimant not reported SSDI status)
DI920	SSDI eligibility ban no longer applies

See also <https://tcf-ui-data.shinyapps.io/ui-data-explorer/> (presenting this data and additional unemployment information in an accessible format for queries by state and specific time periods).

Dated this 10th day of March, 2025.

/s/ Paul A. Kinne

Paul A. Kinne